

## Maine Revised Statutes

### Title 32: PROFESSIONS AND OCCUPATIONS

#### Chapter 117: MAINE PHARMACY ACT HEADING: PL 1987, c. 710, §5 (new)

#### §13742-A. DENIAL OR REFUSAL TO RENEW LICENSE; DISCIPLINARY SANCTIONS; CRIMES; CRIMINAL PROSECUTIONS

**1. Disciplinary action.** In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for:

A. Misuse of alcohol, drugs or other substances that has resulted or may result in the applicant or licensee performing duties in a manner that endangers the health or safety of patients; [ 2013, c. 105, §9 (AMD) . ]

B. A professional diagnosis of a mental or physical condition that has resulted or may result in the applicant or licensee performing duties in a manner that endangers the health or safety of patients; [ 2007, c. 402, Pt. DD, §19 (NEW) . ]

C. Engaging in unprofessional conduct by violating any standard of professional behavior, including but not limited to a breach of confidentiality of health care information pursuant to state law, that has been established in the practice for which the licensee is licensed; or [ 2007, c. 402, Pt. DD, §19 (NEW) . ]

D. Engaging in false, misleading or deceptive advertising. [ 2007, c. 402, Pt. DD, §19 (NEW) . ]

This subsection applies to all types of licenses issued by the board.

[ 2013, c. 105, §9 (AMD) . ]

**2. Crime in course of business.** If any licensed pharmacist is convicted in state or federal court of a crime that is committed during the course of duties performed as a licensed pharmacist or committed through the use of the pharmacy in which the pharmacist is employed, or that the pharmacist owns or operates, and that demonstrates unfitness to practice as a pharmacist, including, but not limited to, convictions for defrauding the Medicaid program and for illegally distributing prescription drugs, the pharmacist's license is subject to disciplinary action as set forth in subsection 1.

[ 2007, c. 402, Pt. DD, §19 (NEW) . ]

**3. Criminal prosecutions.** Nothing in this chapter bars criminal prosecution for any violation of this chapter when that violation is a criminal offense under the laws of this State or of the United States.

[ 2007, c. 402, Pt. DD, §19 (NEW) . ]

#### SECTION HISTORY

2007, c. 402, Pt. DD, §19 (NEW). 2013, c. 105, §9 (AMD).

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